

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TIMOTHY W. STORMES,
Plaintiff,

Case No. 1:19-cv-580
Cole, J.
Litkovitz, M.J.

vs.

KOHL'S DEPARTMENT STORES, INC.,
Defendant.

ORDER

On January 31, 2020, Sandra K. Stormes, through counsel, filed a notice of suggestion of death of plaintiff Timothy W. Stormes. (Doc. 17). On February 7, 2020, the Court ordered plaintiff's successor or representative to file a motion for substitution within 90 days in accordance with Fed. R. Civ. P. 25(a)(1). (Doc. 21). This matter is now before the Court on plaintiff's motion to substitute. (Doc. 27).

Plaintiff moves to substitute Sandra K. Stormes, Administratrix for the Estate of Timothy W. Stormes, in place of Plaintiff Timothy W. Stormes in this case. (Doc. 27). Ms. Stormes represents that she was appointed Administratrix of the Estate of Timothy W. Stormes by the Probate Court of Lawrence County, Ohio on March 31, 2020. (*Id.*). Ms. Stormes attaches documents from the Probate Court demonstrating this appointment. (Doc. 27-1).

Plaintiff has complied with the requirements of Fed. R. Civ. P. 25 by filing the motion to substitute within 90 days of the notice of suggestion of death and by serving the motion to substitute on defendant in accordance with Fed. R. Civ. P. 5(b). Accordingly, plaintiff's motion to substitute (Doc. 27) is **GRANTED**. The Clerk is **DIRECTED** to substitute Sandra K. Stormes on the docket as the plaintiff in this matter.

IT IS SO ORDERED.

Date: 5/6/2020


Karen L. Litkovitz
United States Magistrate Judge